

Goff	McCumber	Reed	Sutherland
Gore	McLean	Robinson	Tillman
Gronna	Myers	Root	Townsend
Hitchcock	Nelson	Saulsbury	Vardaman
Hollis	O'Gorman	Sherman	Walsh
James	Oliver	Smith, Ariz.	Warren
Johnson	Overman	Smith, Md.	Weeks
Kenyon	Owen	Smith, Mich.	West
La Follette	Page	Smith, S. C.	White
Lippitt	Penrose	Stephenson	Works
Lodge	Perkins	Sterling	

The VICE PRESIDENT. No quorum has voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gallinger	Pomerene	Stone
Chamberlain	Lane	Ransdell	Swanson
Chilton	Lea, Tenn.	Shafroth	Thomas
Clapp	Lee, Md.	Sheppard	Thornton
Colt	Martin, Va.	Shields	Walsh
Cummins	Newlands	Shively	White
Fall	Norris	Simmons	Williams
Fletcher	Perkins	Smoot	

The VICE PRESIDENT. Thirty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. JONES, Mr. LEWIS, Mr. MARTINE of New Jersey, Mr. THOMPSON, and Mr. VARDAMAN answered to their names when called.

Mr. ASHURST, Mr. PITTMAN, Mr. BRYAN, Mr. KERN, and Mr. HUGHES entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Sergeant at Arms will carry out the instructions of the Senate, heretofore given, to request the attendance of absent Senators.

Mr. CRAWFORD and Mr. BRADY entered the Chamber and answered to their names.

RECESS.

Mr. KERN. In pursuance of the order made on yesterday, I move that the Senate take a recess until 11 o'clock Tuesday morning. The order has already been made for a recess not later than 6 o'clock to-day.

The motion was agreed to; and (at 2 o'clock and 8 minutes p. m.) the Senate took a recess until Tuesday, September 8, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, September 5, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, we thank Thee that though we oftentimes forget Thee and wander far from the paths of rectitude and duty Thou art ever mindful of us and always ready to receive the penitent wanderer to Thy favor and confidence. Pour out, we beseech Thee, upon us the spirit which makes for righteousness in the soul, that we may be more faithful to Thee and ever close to duty's call; that we may be able to fulfill our mission upon the earth and pass serenely on at the appointed time to that house not made with hands, eternal in the heavens. In the name of Him who taught us faith and confidence in Thee. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 17442. An act to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the acts of Congress approved March 3, 1913, and June 6, 1914;

H. R. 2167. An act to fix the time for holding the term of the district court in the Jonesboro division of the eastern district of Arkansas; and

H. J. Res. 330. Joint resolution to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved April 24, 1914.

COAL LANDS IN ALASKA.

The SPEAKER. Under the special rule the House resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14233,

and the gentleman from New York [Mr. FITZGERALD] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14233, with Mr. FITZGERALD in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14233, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14233) to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That no lease issued under authority of this act shall be assigned or sublet except with the consent of the Secretary of the Interior. Each lease shall contain provisions for insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of waste as may be prescribed from time to time by the said Secretary shall be observed, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare.

Mr. MONDELL and Mr. LEWIS of Maryland rose.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. MONDELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wyoming offers an amendment which the Clerk will report.

The Clerk read as follows:

Pages 9 and 10, strike out all of section 10 after the word "Interior" in line 23 and insert in lieu of the words stricken out the following:

"All leases issued under the provisions of this act shall be upon the condition that the lessee shall proceed with due diligence to open a coal mine or mines on the leased premises and to produce coal therefrom during the life of the lease in such quantity as the condition of the market shall justify. That the lessee shall not during the lifetime of the lease receive or hold, directly or indirectly, any other lease under the provisions of this act or interest therein. That he shall not monopolize, in whole or in part, the trade in coal. That he will at all times sell the coal extracted from the leased premises at just, fair, and reasonable rates, without the giving of rebates or drawbacks, and without discrimination in price or otherwise, as between persons and places for a like product delivered under similar terms and conditions. That the mining operations shall be carried on in a workmanlike manner, with due regard to the permanence of the mine, without undue waste, and with a special reference to the safety and welfare of the miners.

Mr. MONDELL. Mr. Chairman, the amendment that I offer is intended to place in the lease certain conditions which are essential and necessary to continuous mining under proper conditions and for the protection of the miner and the general public. It is true there are in another section of the bill certain prohibitions against combinations in restraint of trade, but there is no provision in the bill which compels the Secretary of the Interior to make a part of the lease these necessary provisions for the permanence of the mine, the safety of the miner, and the full and complete protection of all purchasers of coal. There is a general provision in the words which are stricken out by my amendment under which the Secretary could possibly require all of these things and make them a part of the lease. But that is questionable. That is somewhat doubtful, as a matter of law, and it seems to me highly important that these necessary and essential things should be definitely made a part of the lease by provisions contained in this bill.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. STEPHENS of Texas. Is there not a general law of the United States, and also laws in the various States, protecting miners when engaged in the mining of coal and other minerals that may be carried on in any of the States?

Mr. MONDELL. There is a general law in the United States against combinations in restraint of trade, and yet it was deemed wise to put a provision in another section of this bill prohibiting such combinations in restraint of trade in coal. My proposition is this, that the Congress should definitely, and in language that can not be misunderstood, compel the placing in all leases of those provisions that we all agree are necessary for the permanence of the mine, for the protection of the miner, and for the protection of those who may purchase the coal. If we do not do that and simply say to the Secretary of the Interior that he may insert in the lease such provisions as in his opinion are necessary and proper, we give him no guide. We place him under no obligation to put in the lease any of the essential provisions. Certainly when we come to the leasing of these valuable coal lands in Alaska, over which there has been so much agitation, in regard to which there has been so much misrepresentation, we should make it clear, definite, and cer-

tain that the interests of all interested parties, the Government, the miner, and the consuming public, should be protected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. MONDELL. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 32, yeas 80.

So the amendment was rejected.

Mr. LEWIS of Maryland. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 10, line 3, insert, after the word "observed," the following: "Including a restriction of not exceeding eight hours' actual labor in any one day for underground workers, except in cases of emergency; provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice each month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner."

Mr. LEWIS of Maryland. Mr. Chairman, the amendment I have just introduced is addressed to three substantial conditions in coal-mining sociology. The first is the provision for an eight-hour day. It is enough to say to the intelligence of this House that if an eight-hour day is justified in any industrial employment it is demanded in coal mining, where, because of the atmospheric conditions which at best must often obtain in coal mines, the lungs of the miner are frequently worn out when he is but 30 or 40 years of age, and he is thrown on the scrap heap, an asthmatic victim for the rest of his life. There can be no question among those who have given this question impartial attention that an eight-hour day is not only justified but necessitated by the conditions of underground coal mining.

The second point involves mere truisms under our institutions. I trust I can say a man surely is entitled to purchase the requirements of life at his own pleasure and from such merchants as his own taste or interests may point out. No argument is necessary, surely, as to that point, and this is equally true as to his right to be paid in lawful money at least semimonthly.

The third point, Mr. Chairman, covered by the amendment is one giving the Secretary of the Interior power to make regulations to insure the just and fair weighing of the coal that may be mined. I can speak from experience in saying that no subject is productive of as much trouble between the employer and the employee as the matter of the weighing of the coal after it is mined. The miner can not be present when the coal is weighed, and the employer selects the weighmaster. That does not mean that the coal is generally unjustly weighed, but it does mean that in coal mining, as in other occupations, unfortunately the rogue will sometimes appear and cheat at the scale, although he is rare; and as the miner can not be present at the scale to determine for himself that his coal has been justly weighed, a spirit of suspicion enters into those relations that is often productive of the most serious disturbances in coal mining.

Under this amendment the mine inspector might be given the power to dismiss the weighmaster whose honesty is doubted with show of reason, and such weighmasters should, as public functionaries, be subject to his approval on the question of character and competency. With this brief explanation of the points covered by the amendment I ask the credence of the House for my statement, as that of an experienced witness, that this amendment will prove of advantage to the public, and to the employees and employers as well, in the development of the public coal lands of the country. [Applause.]

Mr. FERRIS rose.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] is recognized.

Mr. FERRIS. Mr. Chairman, the amendment offered by the gentleman from Maryland [Mr. LEWIS], the distinguished chairman of the Committee on Labor, was presented to me and to some members of the committee several days ago when this bill was up before. It was my thought then that Alaska, the country affected, was so sparsely populated and the conditions were so onerous under which coal could be mined at all that there might be some considerable doubt as to whether the gentleman from Maryland should have his amendment adopted. I took it, however, and went down to the department yesterday with it, and I had the lawyers of the department and Secretary Lane and members of our committee consider it, and on comparison we found that what the gentleman from Maryland desires to do is practically what the Western States have on

their State statutes; and if the gentleman feels that it ought to be adopted, as I believe he does, so far as I know we are willing to accept it, and so far as we may be concerned we do accept it.

Mr. WICKERSHAM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alaska moves to strike out the last word.

Mr. WICKERSHAM. Ordinarily an amendment of this kind might not be needed, but the conditions here are peculiar. The lands in Alaska belong to the United States. The Congress of the United States has supreme legislative power over Alaska, for it is a Territory. The Territorial Legislature in Alaska has no power to legislate in respect to leases made under this bill, if it shall pass. It may be held to have no power or control in the management of the mines or of the men who work in the mines. Any legislation necessary in respect to the limitation of hours, the protection of the mines, and the protection of the men working in the mines must be enacted by the Congress, and, substantially, it must be enacted now, because if this bill shall pass without it and leases are made under it Congress would not then have the right to change the contract or lease entered into under this bill and impose new conditions.

I strongly favor the proposed amendment. The people of Alaska favor the eight-hour law in underground mine work, and I specially favor that provision in the amendment.

The first Legislature of Alaska, on April 24, 1913, passed an act making eight hours the limit in underground mine working in that Territory, as follows:

Sec. 2. That the period of employment of workmen in underground workings, underground mines, stamp mills, and roller mills, open-cut work, chlorination processes, cyanide processes, and coke ovens shall not exceed 8 hours within any 24 hours, except on such days as change of shift is made—

And so forth.

This act of the Alaska Legislature, however, can have no force in respect to coal-mine working under this leasing law, for Congress has plenary power over the coal lands of Alaska and the sole and exclusive right to determine what the conditions of the lease shall be. The Legislature of Alaska will have no power to change this law or add any new conditions to the lease. So it is imperative that Congress shall now in this bill limit the hours of work to be performed in the Alaska coal mines, if it is done at all. It is very desirable to have it done, and I strongly favor that portion of this amendment.

The provision securing to workmen complete freedom of purchase and requiring the payment of wages at least twice a month in lawful money is also beyond the power of the local legislature, for this provision must also be a part of the conditions of the lease over which the local legislature will have no jurisdiction.

The provision about weighing stands in the same situation. Ordinarily, the local legislature has police power over all matters of this kind, but owing to the peculiar relationship of the United States as the proprietor of these coal lands in Alaska, and because Congress is the supreme lawmaking body in that Territory, and because the Legislature of Alaska is so limited in its authority, this amendment ought to be made at this time, and I earnestly hope the House will accept the amendment and make it a part of the Alaska coal-leasing bill while it has the opportunity.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. GREENE of Massachusetts. We are talking about the necessity of giving people employment in coal mines in Alaska, and I think there is a necessity for it. I am impressed very strongly in that connection by an article which I clipped from the Boston Traveler of Wednesday evening, September 2. It reads as follows:

LABOR CONDITIONS THE WORST IN SEVEN YEARS.

The month of September starts out with the demand for labor at the lowest ebb for a corresponding period since the panic year of 1907, according to the figures of the State employment bureau at Kneeland Street.

Supt. Walter L. Sears, of the bureau, very conservatively refrains from attributing this exceedingly slack demand for help (a most accurate barometer of general business conditions) to either the Pan European War, the low tariff adjustments, or to any one single thing. "I am simply interpreting the cold facts and figures that the work of this bureau records," he says, "when I say that the labor situation as reflected by our contact with it is discouraging."

"August is always a low point, almost the lowest of the yearly cycle; but the month just passed is far below the normal, both as to demand for help and for positions filled; and, of course, this slack demand is accompanied by its inevitable complement of swelling numbers of the unemployed."

3,000 CALL IN DAY.

"Yesterday, as a typical day, we had what we term an 'attendance' of 3,000 persons looking for work. To these 3,000 we had a grand total of just 82 jobs to offer.

"The average daily demand by employers for help of all classes for the month of August this year was 52, and the average of 'stars' or positions to which we actually supplied a successful applicant was 42 per day.

"For the same month last year we were receiving calls for help from employers at the rate of 82 a day and filling about 70 of these.

"Considerable of a falling off, you see—30 less for every single day of the whole month.

DEMAND NEVER SO LOW.

"That means that we have been compelled to turn away nearly 1,000 more job seekers during the month just passed than for the same period a year ago.

"In fact, it means that the demand for labor was never so low at this time of year in the history of this bureau, with the exception of the low-water mark following the 1907 panic, which resulted in the daily average requests for help during August, 1908, of 39 and an average of positions filled of 30."

The bureau's records show that the most pronounced depression in business activities, as divined from the labor demand of the respective branches, exists in the machinists' trades, closely followed by that of firemen and engineers. The building trades are also exceedingly dull. The printing trade is about the only branch of which it may be said that the conditions are positively "good."

"The war may have made things busy for the printers," admitted Supt. Sears. "I quite believe that a good many printing presses are running overtime in the attempt to keep up with the remarkable variety, not to say diversity, of the war news.

LITTLE RELIEF IN SIGHT.

"But in spite of all the talk about how that great struggle is going to boom things for this neutral country I am afraid that I can see little hope for any relief in the labor situation that can come out of the murder fest across the Atlantic.

"Not for a considerable period, say six months at the least, and probably a year, for it will take some time to get adjusted to new markets, if we can cultivate them in the South American and other peaceful countries.

"In fact, I should say that the interruption and disruption which we know has already been reflected in many industrial branches throughout the United States would create more idleness in the labor world before it lessened it.

"Understand, I do not say that this department has as yet observed any direct evidence of an increase in unemployment that can be directly laid to the European war situation; but we have the war and we have the lowest labor demand since the panic year."

But the depression in business is not confined to Boston, Mass. I find in reading the New York Sun of to-day the following:

BALDWIN PLANT TO CLOSE.

PHILADELPHIA, September 4.

Lack of orders has resulted in the announcement by the Baldwin Locomotive Works that the entire plant at Eddystone will be closed for an indefinite period after to-morrow.

Some of the employees were of the opinion that they would be transferred to the works in this city and were disappointed to learn that none of their services would be required. In normal times the plant at Eddystone gives employment to several thousand men. Latterly the force has been largely reduced and put on part time.

When asked for an explanation an official said that the war has nothing to do with it.

The attempt on the part of our Democratic friends to claim that depression in business is caused solely by the war in Europe demonstrates their great desire to have the people forget that they have been in power since Woodrow Wilson took the oath of office as President of the United States on March 4, 1913.

Since that time he has been framing legislation, and since April 4, 1913, he has been submitting it to the Congress, and all the existing machinery in both branches of the Congress has been working overtime in creating laws which we were promised would reduce the cost of living and create business success and nation-wide prosperity. In the President's first address delivered to the Congress in the House of Representatives he predicted that the tariff bill would remove the burdens of the American people, and that by enlargement of our imports from abroad the wits of our American manufacturers would be sharpened by the competition to which they would be subjected in this change of our revenue system.

The Underwood tariff bill, which was approved by the President, has been a law about 11 months. No one in his sober senses has the hardihood to claim now that this Underwood tariff law has fulfilled the expectations of those who promoted it, and the people of the United States are beginning to wonder why they cast their votes in such a reckless manner in the election of 1912 and gave to the Democratic Party the power to legislate, through failure to unite in opposition to their control of the executive and legislative branches of the Government.

The President told the Congress, after the tariff bill was enacted, that the banking system should be changed in order to meet conditions which would arise from the changed conditions growing out of the changes in our tariff laws.

The new banking and currency act, prepared under Executive supervision, was enacted into law.

The Reserve Board, largely a political proposition, was considered and reconsidered, and finally, after much deliberation, created, although the law providing for it had been passed several months previously. There was a banking act, known as the Aldrich-Vreeland Act, passed by a Republican Congress and signed by President Taft, which met very bitter opposition from the Democratic Party when it was considered by the Republican Party. This was after all a very fortunate piece of legislation, for it has been found to have been so wisely constructed as to meet the financial necessities of the Wilson administration, and they have very wisely concluded to avail themselves of its very wise and far-reaching provisions until the new banking act can be launched upon its career as one of the achievements of the Democratic administration. The Congress is still legislating. The administration still believes the people want more legislation.

I am firmly of the opinion that the people desire a rest. I believe the business men want to do business, and while the Congress is continually theorizing upon the remedies which they believe will restore prosperity they are exhausting the patience of the active business men and of the thoughtful voters, and they would exhibit greater wisdom if they postponed their unfinished legislation to a more convenient season.

Certainly the efforts of the Sixty-third Congress have not at this date produced the desired and long-promised prosperity.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting another article that I have.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GREENE] asks unanimous consent to extend his remarks in the RECORD by the insertion of an article. Is there objection? There was no objection.

Mr. RAKER. Mr. Chairman—

Mr. REED. Mr. Chairman, reserving the right to object—

The CHAIRMAN. It is too late. The request was granted. The gentleman from California [Mr. RAKER] is recognized.

Mr. RAKER. Mr. Chairman, practically the same provision that is included in this bill is included also in the general leasing bill. The committee have the same provisions, or provisions similar to those that are provided for in the amendment offered by the gentleman from Maryland [Mr. Lewis]. The committee were unanimously in sympathy with and in favor of such rules and regulations, but curtailed the language of the amendment, and the intention was that each lease shall contain a provision that such rules for the safety and welfare of miners shall be provided for, and providing also for the safeguarding of the public welfare. We are heartily in favor of this entire legislation, and we believe that the provision in the bill carries these specifications now provided for. The language of the amendment is a special statement of what the committee intended by the general provisions of the bill. For fear of doubt, the members of the committee are in hearty accord with the amendment and in favor of its adoption. I therefore ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland [Mr. Lewis].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MONDELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 10, at the end of line 7, insert:

"All leases shall be granted upon condition that the United States shall at all times have a preference right to take, wherever found, so much of the produce of any mine or mines, opened upon the leased land, as may be necessary for the use of the Army or Navy or Revenue-Cutter Service, and pay such reasonable and remunerative price therefor as may be fixed by the President, but the owner of any coal so taken who may be dissatisfied with the price thus fixed shall have the right to prosecute suits against the United States in any court of competent jurisdiction for the recovery of any additional sum or sums claimed to be justly due for the coal so taken."

Mr. MONDELL. Mr. Chairman, my amendment has two objects: First, to make it clear that in time of peace, as well as in time of war, the Government shall have the right to take any of the coal mined from these leased areas in Alaska for the use of the Army and the Navy and the Revenue-Cutter Service. It occurs to me it is an entirely proper provision and one that ought to be adopted.

The amendment has another purpose. That purpose is to establish a procedure under which it will be possible, if the administration considers it necessary, to determine what is a fair price for these Alaskan coals. Coals may be taken at the dock for the use of the Army and Navy or the Revenue-Cutter Serv-

ice at a price which the President considers reasonable. It might be wise to do that if the parties were demanding a price for their coal that was considered unreasonable. The coal would be taken and the price fixed. If the miner or operator was dissatisfied with the price he could go into the United States court in Alaska for the purpose of establishing his claim to a higher price, and then and there there could be a judicial determination of what was a fair price for these coals under those conditions of delivery. I believe the amendment to be eminently wise and proper. I believe it would serve many useful purposes.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LENROOT. I would like to ask the gentleman for his view on this state of facts: A man has contracted for the sale of his products for 12 months ahead. I would like to ask the gentleman's view as to whether the United States in time of peace should have the right to go in and take that product which another party has brought or contracted for and thus deprive him, perhaps, of the opportunity for carrying on his work?

Mr. MONDELL. I think the Government unquestionably should have the right to do that, even in time of peace, if contracts had been made that denied the Government coal which it needed. But if the Government was simply taking over coal for the purpose of having a judicial determination of what was a fair price for coal, I assume that the amount taken would not be sufficient in any case to interfere seriously with any contract. I take it for granted that the Government officials would not desire to hamper an operator, or to embarrass the purchaser of coal by taking any great quantity under those circumstances. It would not be necessary to take any great quantity. But if a contract had been made which deprived the Government of coal that it needed in time of peace, the Government should have the right to take it. On the other hand, if it was taken for the purpose of establishing a fair price, for the purpose of determining what it was, the amount taken would not be enough to interfere seriously with the demands of trade.

Mr. TAYLOR of Colorado. Mr. Chairman, section 2 of this bill covers everything that we think ought to be included on this subject, and does it much better than the language offered by the gentleman from Wyoming [Mr. MONDELL]. The President of the United States is authorized to reserve 5,000 acres in the Bering River field and 7,000 acres in the Matanuska field, and in addition to that the Government of the United States has the right to go into the business itself if it is necessary at any time.

Mr. MONDELL. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes, sir.

Mr. MONDELL. Does the gentleman from Colorado think it would be better to have the Government go into the mining of coal than to take coal already mined at a fair price?

Mr. TAYLOR of Colorado. We think that if the Government of the United States has all the powers that are given to it in section 2, it has all the powers it ought to have.

Mr. MONDELL. It gives the power to mine coal, but not the right to take coal already mined.

Mr. TAYLOR of Colorado. The Government has the power to mine coal and to reserve any or all of the land for that purpose.

Mr. MONDELL. What good does it do to reserve it, if the Government does not mine it?

Mr. TAYLOR of Colorado. In case of war or other emergency the Government has the power inherently to take coal or anything that may be necessary, and I do not think it is wise to insert in this law unnecessary provisions that will bring about complications and invite lawsuits. Under your amendment the Government might get sued by everybody up there. In the first place, I think it would be a very unwise—in fact, a bad proposition—to allow every coal dealer to sue the United States. That might involve us in very expensive and interminable litigation and would become a nuisance. The committee feels that section 2 and other provisions of the bill cover this matter sufficiently, and I hope the amendment of the gentleman from Wyoming will not be adopted.

The CHAIRMAN. The question is on the amendment of the gentleman from Wyoming.

The question was taken; and on a division (demanded by Mr. MONDELL) there were—ayes 11, noes 56.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 11. That any such lease may be forfeited and canceled by an appropriate proceeding in a court of competent jurisdiction whenever the lessee fails to comply with any provision of this act, of the lease, or of general regulations promulgated under this act and in force at

the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

Mr. REILLY of Connecticut. Mr. Chairman, I move to strike out the last word. In answer to the wall let out by my distinguished friend from Massachusetts [Mr. GREENE] a few minutes ago, I should like to read from to-day's paper some more cheerful news along the same line. This is dated Boston, Mass., September 5—to-day—and is as follows:

BOSTONIANS PREDICT ERA OF PROSPERITY—GOOD BUSINESS AND LOWER PRICES FOR NECESSITIES OF LIFE FORESEEN BY EXPERTS.

BOSTON, MASS., September 5.

Prosperity, good business, and lower prices in the necessities of life were prophesied to-day by prominent Boston business men, manufacturers, and economic experts. Among the most hopeful opinions was that expressed by Charles C. Bancroft, president of the International Trust Co., and a leading representative of the textile interests.

"I feel quite sure business is going to be good," said Mr. Bancroft. "Soon the beneficial effects of the demand by European countries for us to supply food and other necessities is bound to be felt here. Of course there is no doubt but that the consuming power of European countries has been greatly reduced, but I think that this will be more than balanced by the increase in the demand on this country for products which Europe could formerly supply for herself."

IS ALSO OPTIMISTIC.

Maj. Henry L. Higginson, of Lee, Higginson & Co., was also an optimist. He said he based much of his hope on the increased business we shall receive from South American countries. "The European war means that the people of this country have got to work like mad," he said. "Though business is dull at present, there will be a marked improvement soon. There should come more business presently, especially in the cotton manufactories. The war will be a bad thing for the cotton growers here, but a good thing for the manufacturers."

Also in the optimists' club, though not so confident as to the future, was John S. Lawrence, of Lawrence & Co., cotton manufacturers. "Though it is impossible to prophecy as to the future, it seems certain the fabric of the country has stood up remarkably well so far," he said. "In the face of this sudden upset in the world, conditions here have remained strikingly normal, and I am glad I am an American."

[Applause.]

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. DONOVAN. Mr. Chairman, a point of order. The gentleman has addressed the committee on this very section once.

The CHAIRMAN. The gentleman from Connecticut is mistaken. The gentleman from Massachusetts moves to strike out the last two words.

Mr. DONOVAN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Debate on this bill is confined to the subject matter. Is not that true?

The CHAIRMAN. It is.

Mr. DONOVAN. I am going to make the point of order if any other subject is talked about.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. FERRIS. Inasmuch as we have had five minutes on that side and five minutes on this side, both in violation of the rule, does not the gentleman think we ought to quit?

Mr. GREENE of Massachusetts. I should like five minutes more.

Mr. FERRIS. That will call for five minutes more over here.

Mr. GREENE of Massachusetts. Mr. Chairman, the gentleman from Connecticut [Mr. REILLY], who has just taken his seat, has referred to Henry L. Higginson, of Boston, as a prominent Republican. I do not think he is. He was a prominent supporter of Woodrow Wilson, and, so far as I know, has not been prominent in any way in the Republican Party, and I think I am well informed as to who are prominent in the Republican Party of Massachusetts. But I have an article here that was taken from yesterday's Boston Advertiser, which is as late as I am able to obtain, because this paper came from Boston to-day. It reads as follows:

WAR'S EFFECT ON THE IMPORTS IS SLIGHT—FIGURES FOR FIRST MONTH SHOW NO CRYING NECESSITY FOR PROPOSED REVENUE TAX BY GOVERNMENT, SAY OFFICIALS.

The foreign import figures at the port of Boston for the first month of the war show no crying necessity for the administration's proposed extraordinary internal-revenue taxes, which would put a penalty upon such comforts and relaxations as baseball and theaters, beer and temperance drinks, perfumery, and tobacco, according to local officials—

Those officials are Democratic officials—

True, there has been a considerable falling off in the customs duties collected at Boston during August as compared with August of a year ago.

The figures are \$897,817, as against \$1,580,290 in 1913, a shrinkage of \$682,473 for the month.

But this loss of \$22,015 per day which the Federal Government has been sustaining during the 31 days that the European war has been raging, while a serious proportionate loss of income, is in no way attributable to the war, as is conclusively shown by the Boston custom-house figures recording the comparative values of imports received at this port during August, 1914, and August, 1913, before the new low tariff bill was in effect.

According to these figures, the total value of all foreign imports brought into this country through the port of Boston in August, 1914, was \$11,054,866, while in August, 1913, the total value of such imports was \$7,271,866.

The "war month," then, has brought in \$3,783,000 more of value in imports at Boston than the same period a year ago, and the discrepancy in money receipts is thus shown to be solely due to the low rate of tariffs that are now being collected under the new law from this very appreciably increased volume of incoming foreign-produced goods.

The figures of the customs department recording the number of ships arriving at Boston from foreign ports during August of this year also bear out the conclusion that there has been no such extraordinary depreciation of foreign imports, at Boston at least, as to warrant the characterization of any extraordinary internal-revenue measure which the administration may find imperative as a "war tax," the necessity for which has been precipitated by the exigencies of the European situation.

Mr. REILLY of Connecticut. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. REILLY of Connecticut. The gentleman from Massachusetts questions my designation of Henry L. Higginson as a prominent Republican?

Mr. GREENE of Massachusetts. Yes.

Mr. REILLY of Connecticut. And he bases his objection to that statement evidently upon the fact that Mr. Higginson supported Woodrow Wilson?

Mr. GREENE of Massachusetts. Yes.

Mr. REILLY of Connecticut. I wish to say that he is not the only prominent Republican who supported Woodrow Wilson and voted for him, nor is he the only one, but is one of many, who will gladly do so again. [Applause on the Democratic side.]

Mr. GREENE of Massachusetts. That is only the gentleman's opinion.

Mr. Chairman, I examined the article in the Washington Times of this morning, which was quoted in the remarks made by the gentleman from Connecticut [Mr. REILLY], and find that the gentleman only quoted the portion of the article that he desired to use. I quote the remainder of the article, as follows:

IN CHAOTIC CONDITION.

Secretary Briggs, of the Fruit and Produce Exchange, likewise insisted that he was an optimist, but not a prophet. "Things are in a chaotic condition," he said.

"Of the perishable foodstuffs handled by the members of our organization I see no reason why the prices should go any higher. I look for no trouble; yet, in view of the uncertainty of the present conditions, nothing could surprise me."

Secretary Thomas F. Anderson, of the New England Shoe and Leather Association, said he could see only months of depression ahead. "This war can bring benefit to no country," he said. "I think we are bound to have several months of depression, and even following these I do not think there can be any boom that will bring conditions up to much better than normal. I think New England shoe men expect a raise in the price of shoes, owing to the scarcity of leather."

The article which I quoted from the Boston Advertiser demonstrates very clearly that the necessity for the war tax, as it is denominated in the President's address to the Congress, does not arise from decreased importations in amount or value, for therein it is shown that the total value of all imports at the Boston customhouse for the month of August, 1913, was \$7,271,866, while the value of importations at the Boston customhouse for the month of August, 1914, was \$11,054,866.

I have not figures showing the total imports into the United States for the months of August for 1913 and 1914, but I call to your attention the fact that the shrinkage in revenue at the port of Boston for August, 1914, was \$682,473 in comparison with the revenue received there during the month of August, 1913. The Underwood tariff, we were told, was to be a tariff for revenue, and by reason of that feature of the law it was to produce the revenue and remove the burdens resting upon the American people.

At its first real test it demonstrates its utter failure as a revenue producer.

Only yesterday President Wilson appeared before the Congress and showed plainly the utter failure of the law. I admire the frankness of his statement that more money is required to place the United States Treasury in proper condition to meet the requirements that may confront the Government at no distant date in the future.

But I respectfully call his attention and the attention of the country to the fact that the deficiency of revenue revealed in the figures showing the relative decrease of receipts at the Boston customhouse during the month of August, 1914, in comparison with the receipts of said customhouse during the month of August, 1913, and submit the question as to whether or not these facts, together with the further fact that his address shows that the deficiency of revenues in all the customhouses of the country during the month of August, 1914, was \$10,629,538, as compared with the revenues of the corresponding month last

year, do not demonstrate very clearly that the much-vaunted Underwood tariff law in the great essential of safety to the Treasury and benefit to the country is a colossal failure.

Mr. Chairman, the Congress will not hesitate to perform its duty in trying to produce the revenue needed in accordance with the request of the President; but is not the problem of raising this needed revenue a very troublesome one? Unless we have purely a "tariff for revenue only"—and has not that been the slogan of the Democracy for lo! these many, many years?—how will they raise the money? This new tax proposition is called a war tax. A war tax, forsooth, and yet the United States is at peace with all the world, and many an exuberant Democratic exhorter has proclaimed the fact that the European war was to confer prosperity upon the United States; and while Democracy's hopes of retaining power in the next election had been waning of late, this European war had providentially broken out, and, by reason of that distressing war, the Democratic Party would be granted a new lease of life at the hands of the American voters in the election in November, 1914.

This proposed tax is not, in fact, a war tax; it will simply be an additional burden required to be borne by the American people, because the Underwood Tariff Act failed as a revenue producer, and the further fact that the Sixty-third Congress, with the Presidency, the Senate, and the House of Representatives all in the control of the Democratic Party, has not been an economical Congress, but, on the other hand, it has been an extravagant Congress, and it now has a number of schemes in embryo which call for the expenditure of many millions more.

There is an undeveloped scheme for building up an American merchant marine by purchasing foreign-built vessels and having them maintained at the expense of the Government, and if they do not prove profitable the loss will be paid out of the United States Treasury. In other words, it is to be a scheme of Government ownership, in fact, which no one believes can be maintained except at a distinct loss, and no man at this time will attempt to foreshadow how great that loss will be. By the purchase of foreign ships it will in no sense increase the over-sea carrying trade. The only redeeming feature about the scheme would be that a few American flags might be seen upon the ocean upon foreign-built ships as long as the United States Treasury contained money enough to keep them afloat.

For many years the Providence Journal, published at Providence, R. I., has been a consistent supporter of the Democratic theory of a tariff for revenue only. It strongly supported the candidacies of the late President Cleveland, and it was one of the strongest and most earnest supporters of President Wilson and the Democratic Party during the campaign of 1912. I append an editorial which appeared in the Providence Journal of September 3, 1914, entitled "As to the war taxes":

If Congress is prudent at this crisis, instead of imprudent as ordinarily, it will arrange the schedule of so-called war taxes in a way that shall keep the individual man and his wife—particularly, perhaps, the latter—from "feeling" the additional burden.

The suggestion, for example, that "soft drinks" be taxed is an unwary one. As well tax tea or coffee as the soda fountain. No Congress for a number of years has dared tax tea and coffee, although these imports would be magnificent producers. They are, indeed, logically indicated where a Congress, like the present one, is dedicated to tariff reform—taxes for revenue solely rather than for protection.

The distress of the Treasury at the present time might be entirely relieved by a small duty on tea and coffee. But Congress will not dare it. The presumption is that Congress will strive not to depart from the practice of concealing taxes as far as possible from the knowledge of the plain people. There is wide latitude for laying direct taxes, to be sure, under the constitutional amendment which has passed with the income tax chiefly in view. But Congress will scarcely venture to use its new power very liberally.

The economists in Washington must be well aware that the country is groaning under the weight of living costs, coupled with a depletion of incomes from the day's work. The man in the street is beginning to understand, moreover, as never before, that appropriations for the support of the Government come out of his pocket, indirectly if not directly, and it is being borne in upon him that the present administration is fully as extravagant with appropriations as any of its predecessors have been. He will not relish being "touched" directly by fresh taxation.

The country is not at war. It is not obligated for the support of a great army and fleet in an emergency threatening the life of the Nation. The situation is, simply, that a war 3,000 miles distant is putting the Treasury to unfamiliar embarrassment on top of some embarrassment it was already experiencing. The Government is caught unprepared for the proverbial rainy day; that is all there is to it. Roughly estimated, what the Government needs is \$100,000,000 for the coming year, over and above what it expects to get from the sources now supplying it. But it is not so sure that some part of this would not have been needed if the war in Europe had not come about.

The estimate, of course, is based on the assumption that the Government must continue to be supported at the pace it was going before the new complication was encountered. The country may ask, however, Why keep up the pace? One hundred millions mean \$1 on every man, woman, and child—a rather oppressive supertax. On the other hand, the sum needed is less than 10 per cent of the national budget. Is it beyond the capacity of Congress to cut expenses by so moderate a fraction as that or by part of it? With the most ingenious arrangement that can be contrived, to spare the man and his wife from realizing it when

the taxgatherer makes his special "war" call, Congress will not escape having that blunt question put to it.

The Clerk read as follows:

Sec. 12. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require, and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

Mr. PAYNE. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Oklahoma if the object of this is to punish anybody for perjury.

Mr. FERRIS. Yes; if they make false written report under oath.

Mr. PAYNE. Why did not the committee put it into such shape that they could do so? It would be utterly impossible to convict anybody of perjury under this section, it is so loosely drawn. It says:

And any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

You can not convict a person of perjury under such language as that. The language is as worthless as though it was not there, in my judgment.

Mr. FERRIS. I do not remember just what was said about it at the time it went into the bill, but I think, and I am so informed by members of the committee, that there is ample precedent for the language; but if the gentleman from New York has anything to offer—

Mr. PAYNE. I am not going to offer any amendment, but I think the gentleman ought to see to it that proper language on this subject is put into the bill. I think they ought to be punished for perjury if they make a false statement, but it will be necessary to enlarge the language of this section; they must be guilty of perjury, and upon conviction shall be punished. I think it is going pretty far to convict a man of false representations in such loose language. Now, the gentleman from Connecticut [Mr. REILLY] just read and indorsed something that was said in the newspaper in the nature of a prophecy—that old gag that we have had for nearly two years, that we are right on the verge of prosperity. You can not convict a man for making such a representation as that, and I should hate to see my friend from Connecticut pursued under any such provision of law. There is danger that some such honest citizen as my friend from Connecticut may be pursued under this language. I do not think you could convict anybody and punish him for perjury under such loose language as there is in this section.

Mr. FERRIS. Mr. Chairman, it was the thought of the committee that the language would accomplish the end desired, and if the gentleman has no amendment to offer I think we had better let it stand. If it should be as faulty as the gentleman thinks, it can be attended to by the Senate or in conference. I am sure, and I feel sure the committee agrees with me, that if the gentleman from New York has a suggestion we always welcome it. I think the language, however, will do the business.

Mr. MONDELL. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Page 10, at the end of line 22, insert the following as a new section: "Sec. 13. That a license or lease may be terminated at any time on the application of the licensee or lessee and the payment of all rents and royalties which may be due, but no lease shall be terminated until the Secretary of the Interior shall have had an opportunity to have an examination made into the condition of the property and such reasonable provision shall have been made for the preservation of any mine or mines which may have been opened on same, as he may require. Upon the cancellation of the lease or its expiration, or upon the forfeiture thereof and the satisfaction of any judgment rendered in the decree of forfeiture and the payment of all rents and royalties due, the retiring lessee may, under the supervision of the Secretary of the Interior, remove or dispose of all of the machinery, buildings, or structures upon the leased premises, except such structures as may be necessary for the preservation of the mines."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was rejected.

The Clerk proceeded with the reading of the bill, as follows:

Sec. 13. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

Mr. MONDELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 11, at the end of line 2, insert a new section, as follows: "Sec. 14. That 50 per cent of all moneys derived from licenses and leases granted under the provisions of this act shall be paid into and constitute a part of the 'Alaska fund' in the Treasury of the United States and be used for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes,

as the Legislature of Alaska may provide, and 50 per cent of the said proceeds shall be paid into the Treasury of the United States for the construction of railroads in Alaska as now provided by law."

Mr. MONDELL. Mr. Chairman, Alaska does not and will not have many sources of income for the carrying on of its government, for the construction of roads, for the building of school-houses and the maintenance of schools, except such funds as are obtained from her mining properties.

It is proposed to take from Alaska all of the rents and royalties collected on all of her coal lands and use these sums for the building of railroads in Alaska. I did not vote for the Alaskan railroad bill because I did not believe it was necessary for the Government to spend its money in that way, provided we opened the coal mines.

But, however that may be, while it is important that Alaska shall have railroads, it is also important that Alaska shall have wagon roads, shall have schools, shall have her insane cared for, and shall be able to maintain her government. Never before in our country has it been proposed, except under the water-power bill which we passed a few days ago, to take from communities their very largest and most profitable sources of income and dedicate them to uses of no direct advantage to the community, except as the community in the one case would be served by the reclamation law, or projects built under it, or in this case by the construction of railroads.

It is not fair to take from the people of Alaska all of their principal sources of income. I do not know whether the improvements on these mines could be taxed in Alaska or not. I do not know whether Alaska, through her legislature, could place an output tax on this coal in addition to the Federal royalty on it. My opinion is that the latter could not be done. It is questionable whether the former source of revenue would be available. That being the case, we are proposing to take from Alaska practically the only large source of her income, which is royalties on her mines and mining property. I do not think it is fair, and certainly not a very liberal procedure. It takes from the liberality of our legislation relative to railroad construction because of the fact that we are simply proposing that Alaska shall use her own resources, her own income, for the building of her railroads. Certainly she needs some of it for roads, schools, and other governmental purposes. [Applause.]

Mr. FERRIS. Mr. Chairman, I offer the following as a substitute for the amendment of the gentleman from Wyoming.

The Clerk read as follows:

Substitute for the amendment of Mr. MONDELL:

"Sec. 14. All moneys received under the provisions of this act shall be covered into the Treasury as miscellaneous receipts in accordance with section 3 of the Alaskan railway act, approved March 12, 1914."

Mr. FERRIS. Mr. Chairman, section 3, page 3, of the Alaskan railroad bill provides as follows:

Sec. 3. That all moneys derived from the lease, sale, or disposal of any of the public lands, including town sites, in Alaska, or the coal or mineral therein contained, or the timber thereon, and the earnings of said railroad or railroads, together with the earnings of the telegraph and telephone lines constructed under this act, above maintenance charges and operating expenses, shall be paid into the Treasury of the United States as other miscellaneous receipts are paid, and a separate account thereof shall be kept and annually reported to Congress.

Mr. Chairman, this resolves itself into this: On March 12, 1914, we agreed that the Alaskan receipts should go into a fund to pay for the Alaskan railroad. The gentleman from Wyoming [Mr. MONDELL], in offering such an amendment, becomes a repudiationist. To so soon after the passage of the Alaskan railway bill offer an amendment which says that the moneys derived from the sale of coal shall go into some local fund, as distinct from the railroad fund, I think is not good faith.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. No; let me proceed.

Mr. MONDELL. For just one question?

Mr. FERRIS. No; I want to go on.

Mr. MONDELL. The gentleman used the word "we." Did he vote for the Alaskan railroad bill?

Mr. FERRIS. Mr. Chairman, the gentleman talks all the time, and I have taken very little of the time of the committee. I do not know how others may feel, but surely if the gentleman from Alaska and the committee and the Alaskan people are honest enough to do what they agreed to do on March 12, 1914, the gentleman from Wyoming should not try to make repudiation out of it. There is no other alternative to this. Here is section 3 of the Alaskan railroad bill, which provides what shall be done, and the section I have just offered as a substitute for the amendment offered by the gentleman from Wyoming provides that we shall do that identical thing. Does anyone now want to take back what we have already said and refuse to do what we agreed to do on March 12, 1914? Does anyone think the coal lands of Alaska ought to be sold and the money

put into some local fund when we agreed to take that money and pay for the Government railroad appropriation? I am sure the people of Alaska will not be misled by any such amendment as that. The amendment has been offered, undoubtedly, to try to make unpopular this legislation, but the people in Alaska, I take it, are fair enough and square enough to do the thing that they agreed to do when they got the railroad bill passed; and that is all that my substitute does. It merely stands by the Alaskan railway bill provision which was agreed to by Congress.

The CHAIRMAN. The question is on the substitute of the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. MONDELL) there were—ayes 80, noes 4.

So the substitute was agreed to.

The CHAIRMAN. The question now is on the amendment of the gentleman from Wyoming as amended by the substitute of the gentleman from Oklahoma.

Mr. FERRIS. It is really a substitute.

The CHAIRMAN. But it must be adopted.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That paragraph has been passed. The gentleman offered a new section.

Mr. MONDELL. I desire to discuss this paragraph.

The CHAIRMAN. The other section has been passed. The Clerk will read.

The Clerk read as follows:

SEC. 14. That on and after the approval of this act no lands in Alaska containing deposits of coal shall be disposed of or acquired in any manner except as provided in this act: *Provided*, That the passage of this act shall not affect any proceeding now pending in the Department of the Interior, and any such proceeding may be carried to a final determination in said department notwithstanding the passage hereof.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 9, strike out the period, insert a colon, and add the following:

"Provided further, That whenever any of the coal lands of Alaska otherwise subject to the provisions of this act shall be claimed by any settler or locator or other claimant, the Attorney General of the United States or such settler, locator, or other claimant is hereby authorized to bring a suit in equity in the judicial district where the land is situated to quiet title thereto: *And provided further*, That the United States or the claimant so bringing said suit may appeal said cause in the manner provided by the laws relating to appeals from said courts, and if the final decree in such cause shall be in favor of the United States, and if the said claimant or locator be held to have no right to or equity in said land, and his location or entry be canceled and held for naught, then the lands embraced therein shall be forthwith subject to disposal under the provisions of this act."

Mr. FERRIS. Mr. Chairman, I make the point of order on that. It deals with every sort of land and provision and every sort of provision.

Mr. HAWLEY. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. HAWLEY. Mr. Chairman, the proviso in section 14 as contained in the bill provides that proceedings now pending relative to claims initiated in Alaska shall be carried to a determination irrespective of the passage of this bill. The two additional provisos that I offer simply authorize methods of determining the claims of rival claimants by the determination of the courts. The Territory of Alaska is a long way from the seat of government. There are many conflicting claims. If these claims can be determined in a United States court, with the power of appeal to the higher courts, all interests will be safeguarded, especially those of the United States, and the claimants of small individual entries who have been unable to have action taken on their claims by the department will be able to have them decided for or against them, as the merits of their cases may justify. The people of the country have great confidence in the courts. Some citizens of Oregon, having small, individual holdings and desiring some action taken on them after so long a delay, have suggested some such amendment. If an appeal to the courts is authorized, witnesses can be summoned, a hearing given to these people on the merits of their claims—whether they are claims disputed between individual parties or claims in which the United States Government holds that the claimant has not complied with the law—and the cases determined as cases are in the usual manner in the courts.

The CHAIRMAN. The Chair is prepared to rule. The bill provides for the leasing of coal lands in the Territory of Alaska.

The paragraph under consideration provides that the passage of this act shall not affect any proceedings now pending in the Department of the Interior. It reads as follows:

Provided, That the passage of this act shall not affect any proceeding now pending in the Department of the Interior, and any such proceeding may be carried to a final determination in said department notwithstanding the passage hereof.

The amendment of the gentleman from Oregon provides that if there be any controversy between certain locators as to any of the lands affected by the pending bill the question shall be determined in the manner provided in the amendment. Any proceedings now pending in the Interior Department, so far as the Chair is aware, may be proceedings to determine the rights of individual locators. Since the bill relates directly to such proceedings and saves them for final determination regardless of the provisions of the bill, any amendment proposing to dispose of such controversies in another manner, or providing for the settlement of other controversies that may arise regarding the lands affected by the bill, is germane and in order. The Chair overrules the point of order, and the gentleman from Oregon is recognized on his amendment.

Mr. HAWLEY. Mr. Chairman, the purpose of this amendment, as I stated a moment ago, and will repeat briefly, is to authorize those who have claims in Alaska which may be in dispute as between individual claimants, or where the Government of the United States holds they have not complied with the law, to have their cases tried out on their merits before the district court in which the claims are located, with appeal to the higher courts. This will be greatly to the convenience of the claimants and the promotion of justice. I believe we all have confidence in the honor and integrity of the courts. All the facts relating to these claims are in Alaska. All the witnesses and evidence are there, and the department can be represented there, as it will necessarily be, if it takes the proceedings into its own hands, for they will need to send men there to ascertain the facts and prepare the cases, even if they are to be decided here in Washington, 6,000 miles from the location of the claim.

Mr. RAKER. Will the gentleman yield for a question?

Mr. HAWLEY. With pleasure.

Mr. RAKER. This amendment would reinstate these 560 claims that have been decided against the claimants by the Secretary of the Interior?

Mr. HAWLEY. Not unless they are pending in the department and unsettled.

Mr. RAKER. But they are pending until disposed of.

Mr. HAWLEY. If they have been decided finally, they would not be affected.

Mr. RAKER. Let me call the gentleman's attention to the fact that the proviso says:

That whenever any coal lands in Alaska otherwise subject to the provisions of this act shall be claimed by any settler or locator or other claimant.

Those people are all still claiming, and you put in all the adjudicated cases, all those over which there has been so much trouble and dispute, and they are sent back on the ground that you give these parties a chance to readjudicate their matters. Is not that the gentleman's view of it?

Mr. MANN. I would like to ask the gentleman from Oregon a question.

The CHAIRMAN. Does the gentleman yield?

Mr. HAWLEY. As I understand the amendment, which was taken from the bill introduced by Mr. BOOHER, of Missouri, July 13, 1912. H. R. 25749, Sixty-second Congress, second session, and was prepared or approved, as I understand it, by Secretary Fisher—

Mr. FERRIS. No.

Mr. HAWLEY (continuing). To meet conditions in Alaska.

Mr. FERRIS. Mr. Chairman, I do not think that Secretary Fisher ought to be cited as having prepared the bill. I do not think he had anything to do with it.

Mr. RAKER. The gentleman's amendment says that any settler or locator or other claimant may go into court in regard to these claims.

Mr. MANN. Would the gentleman from Oregon yield for a question?

Mr. HAWLEY. Certainly.

Mr. MANN. What is the purpose of the gentleman's amendment?

Mr. HAWLEY. That in case of an unsettled claim, where two parties are disputing the right to a claim, or in case where the Government in any unsettled claim now pending holds that the party is not entitled to his claim, the United States, on the one hand, or the parties interested, on the other, can cause the matter to come before the district court of the United States

in which the claim is located for settlement according to the usual course of law, with appeal to the higher courts.

Mr. MANN. Then, as I understand, the purpose of the amendment is to take out of the control of the Interior Department the settlement of these claims and turn them over to a local court in Alaska.

Mr. HAWLEY. To the district court of the United States, with right of appeal.

Mr. MANN. Does the gentleman think that is safe?

Mr. HAWLEY. If the courts of the country can not be trusted, I do not know where trust or confidence can be placed.

Mr. MANN. There are many cases where we do not leave to local courts the determination of questions of this kind. We determine those in the department all the time. You can not go into court in any of these—

Mr. HUMPHREY of Washington. You do in these coal cases.

Mr. MANN. One gentleman has just said they do not; I do not know what the facts are, but under the law they determine them in the department. Now it is proposed we shall turn them over to a local court in Alaska, and that is a long way off, and they are very apt to be bad.

Mr. RAKER. Will the gentleman yield for a question?

Mr. FALCONER. Will the gentleman yield? I would like to ask the gentleman if it is not a fact that Alaska has something of a history as regards the district courts and their effect upon litigation, particularly on mines and mining in that Territory. Ought not that to preclude the possibility of the suggestion made by the amendment of the gentleman?

Mr. FERRIS. Mr. Chairman, I take it that the House is not ready to give up and allow to pass to patent the Cunningham coal claims and all the fraudulent claims sought to be obtained in Alaska.

I take it there is little desire in this House to furnish to fraudulent claimants a new court, a separate court, a distinct court and remedy they did not have when they first initiated the claims. I do not think the House for a moment will seriously consider doing that. This has been their sole contention; this is what they want; this is what they have always wanted.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FERRIS. I regret I can not. To show the House, Mr. Chairman, what has been going on up there, let me give some figures. There are 1,123 coal claims filed in Alaska in the coal areas, mostly in the Bering River and the Matanuska fields. Five hundred and sixty-three of them have been tried, two have passed to patent, 561 have been denied on account of fraud. Five hundred and sixty-six of them are still pending, and the chances are that most of them will go the same route as the 561 went. Is this not sufficient proof that fraud has run rampant up there?

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FERRIS. Just let me proceed for a moment.

The CHAIRMAN. The gentleman declines to yield.

Mr. FERRIS. I can not answer a dozen speeches at once. Now let me answer the gentleman from Oregon. Now, as our bill stands, they have the same rights that they had when they initiated their claims. They have the same General Land Office; they have the same local land office; they have the same Interior Department. Of course they have not the same personnel, but they have the same machinery, and in addition to that they have a western Secretary of the Interior, a western Commissioner of the General Land Office, and they have the local officers that are appointed from the body politic up there.

Can anyone say with good conscience, with a western Commissioner of the General Land Office, with a western Secretary of the Interior, with westerners appointed as their local land officers, they will not give these people full justice? And if not, why not? No one can stand for a moment, I think, and well defend an amendment of that sort. That is precisely what these claimants have wanted for eight years. That is the precise thing that caused opposition to every bill that has been brought in here. If they can get that amendment, they do not care what else happens to Alaska. Under that they would get all the coal lands up there. All these claims I fear would find their way to patent, and this leasing bill may as well not be passed.

It was the thought of ex-Secretary Fisher, and it is the thought of Secretary Lane, to pass an intelligent leasing bill that will open and protect Alaska; and it is not the thought, I think, of any Member of this House, in either of the three parties in this House, to give those claimants a new trial, an additional trial, and a chance to get away with a claim in the local courts of Alaska. And, in addition to that, it would give them the opportunity to hold up the operation of this law, by continued litigation, until it would not amount to waste paper.

I now yield to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Unless my colleague wishes to ask a question—

Mr. JOHNSON of Washington. I understood the gentleman to say that this would give back the Cunningham claims to some one?

Mr. FERRIS. This would give them a new chance to get them to patent.

Mr. JOHNSON of Washington. Is it not really a fact that the Cunningham claims have been absolutely canceled, and that in all the Katella coal field the only claims that can possibly be leased within any reasonable length of time under this bill are the Cunningham claims? Are not the probabilities about ninety-nine to one that they will be leased by the Guggenheims? Does Congress and the public realize this?

Mr. FERRIS. I am informed that there are only 33 Cunningham claims, so if they were denied this would open them up and cause trouble. There are many others just as bad as those Cunningham claims, and if we give relief to those that are yet pending, no doubt they will immediately be in and ask for a new trial and hearing and a reopening of the cases that have already been adjudicated. This fraudulent claim business has been on the boards so long most of the House Members know what it is. This amendment simply will not do. It ought to be defeated unanimously.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word.

I want to emphatically deny that I am in favor of any amendment that will open up the Cunningham claims. I do not believe this amendment would do so. Those claims that have been settled I do not think anyone wants to have retried; but the purpose of this amendment, as I understand, is to give some action on those coal claims. I am decidedly in favor of an amendment to this bill that will lead to an honest determination of the coal claims. No honest man can object to any proposition that will bring about that result. Now, the gentleman spoke about 400 or 500 claims, and I wanted to ask him about them. I doubt whether any of those have been contested claims—although, perhaps, some of them have, but most of them have been voluntarily abandoned.

Mr. FERRIS. I know what the Land Office officials said about it.

Mr. HUMPHREY of Washington. How many were contested?

Mr. FERRIS. About 550.

Mr. HUMPHREY of Washington. How many of them where the claimant appeared and attempted to have his claim enforced?

Mr. FERRIS. I have not that before me.

Mr. HUMPHREY of Washington. This amendment, as I understand it, is to give those claimants somewhere a place where their claims can be settled. As I said the other day, some of these claims have been pending for seven years, and this amendment would not only help the coal claimant—help him to get justice and help the Government—but it would help the cowardly officials in the Interior Department and in every place whose duty it is to act upon these claims. For seven years we have not had an official that had the courage to stand up and do his duty and decide these coal claims. If these claims are fraudulent, let us have it so decided and end this controversy. Can any honest man object to that?

Now, the gentleman talks about a western gentleman in the Department of the Interior to-day, and he is a western man. We in that portion of the country felt very much gratified that he had taken that position. But what is he doing in these coal claims? Not what is he going to do, but what has he done? For 18 months he has been in office. Has he decided any of these contests? If not, why?

Now, I submitted a letter to the Secretary of the Interior several days ago, asking him how many of these coal claims had been decided. I have not received any answer.

Mr. FERRIS. I have the figures here from him.

Mr. HUMPHREY of Washington. How many contested cases have been decided since that time?

Mr. FERRIS. Five hundred and sixty-one have been reached and adjudicated, 2 have been patented, and 586 are still pending.

Mr. HUMPHREY of Washington. Since when? Since the 4th day of March, 1913?

Mr. FERRIS. Oh, no; since they were filed.

Mr. HUMPHREY of Washington. I do not know whether it is true or not, and I am only making it upon authority given to me, but I had a man come to me and say to me there has

not been a single contested coal claim in Alaska decided since this administration went into power.

Mr. FERRIS. Who says that?

Mr. HUMPHREY of Washington. I am not going to tell you who said it, because he is a Member of this House; and I do not propose, without his consent, to give his name at this time. The question is whether it is true or not, not who said it.

I will make another statement, and I will give the gentleman authority for that if he wants, and that is as to the claim of Mr. MacDonald. He makes the statement that his claim has been passed by every subordinate connected with the department, and it has gone up to the Secretary and been on his table for weeks, and he refuses to decide it. Why? If we can not get anyone in the Interior Department who has the courage to do his duty, if we are to forever have that office filled with men who possess no spinal column, who are afraid that somebody is going to accuse them of not being conservationists if they decide these cases, then why not put in an amendment and let these claimants go to the courts?

Mr. FERRIS. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FERRIS. It is not partisan with the gentleman, but it is practical with the gentleman.

Mr. HUMPHREY of Washington. It is not partisan.

Mr. FERRIS. All through Secretary Fisher's administration the gentleman was railing against the department just as he is now, and all through Secretary Lane's administration, so far, the gentleman has been railing against the department, and I presume the gentleman will continue to do so. If you rail because an eastern man will not do what you want, and if Secretary Lane, who is a western man and used to run a paper in the gentleman's own State, will not do what he desires, pray tell where will we get a Secretary of the Interior that will please the gentleman from Washington?

Mr. HUMPHREY of Washington. I will not rail against a man from the East or from the West if he has the courage to do his duty, but if he is a contemptible coward I am against him. Geography makes no difference on this question.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] asks unanimous consent to proceed for five minutes more.

Mr. DONOVAN. Mr. Chairman, I am going to object. We are operating under the five-minute rule.

The CHAIRMAN. Does the gentleman object?

Mr. DONOVAN. I will object.

Mr. HUMPHREY of Washington. Mr. Chairman, did the gentleman object?

Mr. DONOVAN. Yes.

Mr. RAKER rose.

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized.

Mr. RAKER. Mr. Chairman, this subject matter was fully covered by the committee. There is no need in trying to disguise the object, the purpose, and the intent of this amendment by attacking the officials of the Government.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Washington?

Mr. RAKER. Yes; I yield.

Mr. JOHNSON of Washington. Is it not a fact that Secretary Lane, in the book entitled "Red Tape in Alaska," calls attention to the necessity of doing something along those very lines on account of the delay in the mails back and forth, and the fact that some of these cases have been hung up five or six years? Take, for instance, the claim of T. P. McDonald—

Mr. RAKER. No; what he says in that statement does not apply to this bill. Secretary Lane is in favor of this bill, but is opposed to such legislation as is contemplated by the amendment. I want to explain the provision. The testimony before the committee shows that there is practically not one single claim to coal lands in Alaska, out of 500 claims that have been adjudicated against those people, that has been surrendered. The evidence shows that the claimants are still in possession, or claiming possession, of the land. They or their grantees are still claiming that land, and they are trying now to get a provision to wipe out all the laws on the statute books relating to the disposition of the public domain and to turn it over to the courts in Alaska to decide.

That is the purpose of this amendment, and the testimony of the Commissioner of the General Land Office shows the reason

why the remainder of these claims have not been decided; and the reason is that they will not submit their claims to the department. There is only one—

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Washington?

Mr. RAKER. I can not yield just now. There is only one claim that has been submitted. They have not offered their final proof, and therefore there can be no decision.

Mr. FALCONER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Washington?

Mr. RAKER. Yes.

Mr. FALCONER. What was the particular claim that presented its credentials in this matter?

Mr. RAKER. I do not know. But the Commissioner of the General Land Office says:

There is one application in my office now, which has been argued very extensively, which is such an application. The Cunningham people refused to come in under that act.

Mr. RAKER. Then, really, as a matter of fact, the want of development and the want of proper application, after they have complied with the law, has been due to the acts of the individuals themselves?

Mr. TALLMAN. Yes; and combined with a general blanket withdrawal and a blanket with a lot of charges against everybody who had entered the Alaska coal lands. Charges have been preferred against almost every entryman. Of course that was on the theory that there had been tremendous fraud attempted to be perpetrated.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. COOPER. From what was the gentleman reading?

Mr. RAKER. From the testimony of Mr. Tallman, on page 45 of the committee hearings.

Mr. HUMPHREY of Washington. Who is he?

Mr. RAKER. The Commissioner of the General Land Office.

Mr. HUMPHREY of Washington. What is the date of it? When was it?

Mr. RAKER. I will give the date in a moment. It was on February 23 of this year.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from California still has the floor. His time has not expired yet.

Mr. RAKER. Let us read the provision of this amendment. It reads:

Provided further, That whenever any of the coal lands of Alaska otherwise subject to the provisions of this act shall be claimed by any settler or locator or other claimant, the Attorney General of the United States or such settler, locator, or other claimant is hereby authorized to bring a suit in equity in the judicial district where the mine is situated to quiet title thereto.

It is stated now, and the record shows it, that there has been practically no surrender of the claims, no surrender of possession by the original locators and their grantees. The 500 cases that have been decided against these claimants on account of gross frauds would, under this amendment, be sent back into the Federal courts of Alaska for adjudication, and the cases of these parties would there be determined, thus wiping out and ending and disposing of the general laws in regard to the disposition of the public lands. And it would be the same way in regard to the other cases that are undisposed of. In other words, this is an innovation in which it is proposed that over half of the claims that have been determined by actual decision and final determination by the Department of the Interior to be fraudulent and illegal are to be readjudicated, and you are going to put the other 600-and-odd claimants that are now held up on account of alleged fraud and other charges of illegality and irregularity with the other class and say to these people, "Notwithstanding your fraud, notwithstanding your violation of the law, notwithstanding your violation of every principle that should have guided you in filing upon these claims and your working of them, you may still go ahead improving them and developing them, and we will give you an opportunity to do so," and also provide a new tribunal and have your cases readjudicated and all different from all other land cases. This will not do, and this attempted effort should be unanimously defeated. Had the gentleman from Oregon [Mr. HAWLEY] fully considered his amendment I am sure he would not have presented it. He should withdraw it, otherwise the committee will certainly with one voice defeat it.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask for two minutes in which to complete my statement.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. DONOVAN. I object, Mr. Chairman.

Mr. LENROOT rose.

The CHAIRMAN. The gentleman from Wisconsin [Mr. LENROOT] is recognized.

Mr. MANN. Can we not close debate on this section very soon?

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 8 minutes the debate on this section close; 2 minutes to be used by the gentleman from Wisconsin [Mr. LENROOT]. Or, Mr. Chairman, let us make it 12 minutes. The gentleman from Illinois wants to say a word.

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that all debate on the pending section and amendments thereto close in 12 minutes. Is there objection?

Mr. MONDELL. Mr. Chairman, I do not understand what this request is.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair understands that the gentleman from Wisconsin has 5 minutes.

Mr. FERRIS. No, Mr. Chairman; 2 minutes.

Mr. LENROOT. Mr. Chairman, if this amendment should be adopted, it would revive the Cunningham claims, and it would revive every claim that has been passed upon by the Department of the Interior.

I sincerely regret that the gentleman from Oregon [Mr. HAWLEY] has offered this amendment, and I indulge the hope that he will withdraw it, for it ought not to be offered by any Member on this floor. Not only will it revive all of these claims, but if it should be adopted this bill might as well be defeated now, because the Matanuska and the Bering fields, covering all of the valuable coal in Alaska, are plastered over, every acre of them, with claims of this character, and if we are going to adopt this amendment and throw them all into litigation, no coal operator in the United States would think for one moment of leasing one acre of coal lands in Alaska.

And I want the gentlemen from Washington, both of them, who seem to favor this amendment, to consider seriously that in voting for it they are voting to bottle up Alaska a few years longer. [Applause.]

Mr. FALCONER. Mr. Chairman, I believe the amendment of the gentleman from Oregon [Mr. HAWLEY] should be defeated. Regarding the McDonald coal claim which has been referred to, I have given some consideration to the matter myself, and I believe he should be granted the title to the claims he filed on, for he surely has met the law requirements in full and is an honest man, who has spent his fortune in honest development; but I think the quickest way to get action on individual applications for title is to pass this bill, and I believe it is the sentiment of the people in the State of Washington, of the Territory of Alaska, and of the United States to give no consideration to the final settlement of any private application of any individual until the policy of the administration has been definitely stated to the country at large. I believe and I hope Mr. McDonald will get title to his claims in Alaska, and if there are any others in Alaska who have lived up to the law as he has done I think they should have title; but I think the first thing to do is to follow out the desires of the people who want this bill passed and the policy of the administration definitely settled. The law, of course, should not be retroactive in effect, and honest individuals who met the demands of the law up to the time of the withdrawal order of Mr. Roosevelt should get justice. The time has now come, Mr. Chairman, when the Government can no longer give away in unlimited areas and quantities the natural resources of the country. The public is thoroughly educated on natural-resource values. The people of the country claim a mutual interest, are demanding it, and will have it.

The gentleman from Oregon [Mr. HAWLEY] wishes to take from the Interior Department the right of decision in contest cases arising in Alaska, and takes occasion to say that he has confidence in the Federal courts. The gentleman is recognized as an able and conscientious Member of this House, and his judgment is rarely questioned, but I believe he has been misled in this matter. The history of Alaska does not substantiate his position that all men, even though they are clothed in the judicial robe, are absolutely honest. Mine-robbing Federal judges in years past in Alaska operated with a gusto that would make an ordinary highwayman ashamed of his moderation in wrongdoing. No; do not take jurisdiction in these controversies away from the Interior Department.

Mr. FERRIS. The gentleman thinks that the proviso on page 11, which leaves them in statu quo, is sufficient?

Mr. FALCONER. I think it is absolutely sufficient and the proper thing to do. And I want to say further, Mr. Chairman, that I believe many people in my State and in Alaska have the greatest degree of confidence in the present Secretary of the Interior. This is a very important subject, and one to which consideration has been given, and I think we will find, after this bill has been passed and the Secretary of the Interior has had time to operate, that the cases now in the department will have immediate consideration and with justice done.

This is one of the bills, Mr. Chairman, that has kept me here in Washington when I greatly desired to be in my State, and I am glad to see it so near favorable action by the House. We shall all be glad to have it pass, and the people of Alaska will rejoice.

Mr. HUMPHREY of Washington. Mr. Chairman, I want simply to reiterate what I said a while ago, that if this amendment in any way affects those who have had their cases disposed of, I am against it; and unless there is an amendment added to this amendment to take away any such possibility, I shall vote against it; but I am in favor of an amendment that will cause these claims to be decided in some way. And I want to say most emphatically that I have no sympathy with the sentiment that seems to prevail here that if these cases go to the courts they are going to be corruptly, or at least wrongfully, decided in favor of the claimants. I am glad to say that I have not yet reached the position where I believe the courts of this country will decide adversely to the Government when a claimant is not honestly entitled to his claim.

A moment ago, when I was stopped by the distinguished gentleman from Connecticut [Mr. DONOVAN], I was making this statement in regard to these claims. Since that time the gentleman from California [Mr. RAKER] has shown that this one claim, the McDonald claim, I presume, has been pending 15 or 16 months. It seems that Mr. Tallman had that claim that long ago. The protest I make is this: Why is it that they can not get somebody who has the courage to decide these claims? I do not know whether my information is correct or not, but as I said a while ago, it is my understanding that this administration has acted precisely as the other administration did. For 18 months this administration has refused to make a single decision in these cases. If that be true, then let us enact some legislation that will send these cases to the courts, where we can get some one who will decide them and relieve these distinguished gentlemen who happen to go into official positions and who are so afraid of public sentiment that they dare not perform the duties that the law places upon them.

[Mr. FOWLER addressed the committee. See Appendix.]

Mr. HAWLEY. Mr. Chairman, I offered this amendment for the purpose of expediting the settlement of claims up there, claims of small individual holders who have been unable to have their claims determined, and who think they ought to be determined for or against them speedily, and it seemed to me that to give the courts of the United States the power to deal with them, with the right of appeal to the higher courts, was a reasonable solution. I have heard the statements of the gentlemen who are opposed to the amendment. I have not had time to analyze them. If there is any danger of accomplishing the things that they mention, and as it was not my intention to accomplish any such things, I therefore ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to withdraw the amendment. Is there objection?

Mr. BRYAN. Reserving the right to object, Mr. Chairman, I am glad to hear the gentleman from Oregon make that statement, which clears his record entirely in the matter, and shows his position, but I think we ought to have a vote on this amendment.

The CHAIRMAN. Debate is not in order. Debate is exhausted. Is there objection to the request of the gentleman from Oregon?

Mr. BRYAN. I object, and I want to make a statement as to why I object.

The CHAIRMAN. Debate is not in order.

Mr. BRYAN. I want to see if there is a solitary member of the Washington delegation, all five of whom are on the floor, or any other delegation here, who will vote for that amendment.

Mr. MANN. That statement is not in order.

Mr. BRYAN. Gentlemen often reserve the right to object, and then proceed to make statements.

The CHAIRMAN. The question is, Is there objection?

Mr. BRYAN. The Chair certainly heard me object. The Chair ruled that I could not make a statement. I again object.

The CHAIRMAN. The gentleman from Washington objects. The question is on the amendment of the gentleman from Oregon.

The question being taken, the Chairman announced that the yeas appeared to have it.

Mr. BRYAN. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes none, yeas 27. Accordingly, the amendment was rejected.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to change the numbering of section 14, to make it section 15, and then to offer a new section.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add as a new section the following:

"Sec. 16. The Secretary of the Interior shall annually make report to Congress of all leases awarded under the provisions of this act in reasonable detail, and also of all leases then outstanding, and the amounts collected for the prior fiscal year on account of each lease."

Mr. TAYLOR of Colorado. Mr. Chairman, I may say that in consultation with various members of the committee and others it was deemed proper to offer that provision, and therefore I offer it, as you may say, as a committee amendment.

Mr. MONDELL. Mr. Chairman, I think the amendment offered by the gentleman from Colorado is possibly proper; I did not hear it very clearly. We are about to pass the Alaskan coal bill. We should have passed one three years ago, at least. This bill, I understand, is satisfactory to gentlemen who call themselves conservationists and who have criticized the bills heretofore presented.

I think it is proper that we should have a brief analysis, now that we are about to pass the bill, of what the bill proposes to do. It practically wipes out all claims now existing to Alaskan coal lands. It takes away the last hope of any claimant there. It authorizes the Secretary of the Interior to do practically as he sees fit, within certain broad limits, with all the coal lands in Alaska. With regard to all the coal lands, except the Matanuska and Bering fields—that is, as to all lignite coals—he is not required to advertise for bids. There is no limitation except the 2-cent royalty and the maximum acreage, nothing in the bill requiring him to give all applicants an opportunity. In fact, there is a provision that he need not do so in regard to 98 per cent of all the coal lands; that is, all the lands containing lignite.

The bill further fixes a 2-cent minimum royalty, and a provision in the bill that would have authorized the Secretary to fix a minimum above 2 cents was stricken out by vote of the committee.

As the bill now reads, the Secretary of the Interior, under this bill, may lease to Aleck Cunningham one-half of all the Cunningham coal claims at 2 per cent per ton royalty and 25 cents an acre lease. He may lease to the Guggenheims the balance of the Cunningham coal lands in the Bering River field at 2 cents per ton royalty. He must lease to these two men, if they are responsible bidders, and accept their offer of lease at 2 cents a ton, for he has no authority on his own motion to fix a higher royalty, if no one else offers more.

Of course, I do not say that this is going to occur. Oh, the anathemas that have been hurled in the past against legislation affecting these lands on the ground that such things might be done! How gentlemen, when it was good politics to do it, have opposed the most carefully drawn and guarded proposals touching these lands, and yet when the House comes to legislate we are, under conditions which might be established and are likely to be, giving two or three lessees control at a nominal royalty of all the most valuable coal land of southern Alaska.

This bill would allow such leases as I have suggested to be made, and the Secretary would, in my opinion, be compelled to make them under the provisions of the bill as it now stands, unless there was a higher bid of royalty.

Now, this may be conservation. It would be very much better for the Guggenheims, infinitely better for Aleck Cunningham, to make a lease under the minimum royalty of this bill than to own these lands, because no taxes that the Territory of Alaska would have placed on these lands, had they been purchased, would be so low in the running of the years as 2 cents a ton royalty would amount to. It may not occur, and yet it can occur, and this is the triumph, as I understand it, of conservation.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. FALCONER. Mr. Chairman, have not Members a general right to extend remarks in the RECORD on this bill?

The CHAIRMAN. That is true, under the rule.

[Mr. JOHNSON of Washington addressed the committee. See Appendix.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was agreed to.

Mr. THOMSON of Illinois. Mr. Chairman, I ask unanimous consent to return to section 8 for the purpose of offering an amendment.

Mr. HUMPHREY of Washington. Reserving the right to object, what is the amendment?

Mr. THOMSON of Illinois. The amendment is simply to change the wording in line 10 of that section.

Mr. HUMPHREY of Washington. If it is to perfect the text, I have no objection.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to section 8 for the purpose of offering an amendment.

Mr. MANN. What is the amendment?

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Amend, page 8, line 10, by striking out the entire line and inserting in lieu thereof the following:

"A specified tract, not to exceed 10 acres."

Mr. MANN. I object.

Mr. THOMSON of Illinois. There is one other amendment. The Clerk read as follows:

Amend, page 8, line 14, by inserting, after the word "Provided," the following:

"That not more than one such limited license or permit shall be issued to any single applicant hereunder: And provided further."

The CHAIRMAN. Is there objection to returning to section 8 for the purpose of offering the amendment?

Mr. MANN. I have no objection to returning for the purpose of offering the last amendment read.

The CHAIRMAN. The question is on the amendment last reported by the Clerk.

The question was taken, and the amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and the bill pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. UNDERWOOD having taken the chair as Speaker pro tempore, Mr. FITZGERALD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14233) to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes, and had instructed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FERRIS. Mr. Speaker, I move the previous question on the bill and all amendments thereto.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

There was no demand for a separate vote.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p. m.) the House, under the order previously agreed to, adjourned until Tuesday, September 8, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 13029) for the relief of John L. Maille, reported the same with amendment, accompanied by a report (No. 1143), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11839) granting an honorable discharge to William Ham, reported the same with amendment, accompanied by a

report (No. 1144), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13756) for the relief of Augustus Dudley Hubbell, reported the same with amendment, accompanied by a report (No. 1145), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12369) for the relief of John Healy, reported the same with amendment, accompanied by a report (No. 1146), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FOSTER: Joint resolution (H. J. Res. 335) to amend an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved July 21, 1914; to the Committee on Invalid Pensions.

By Mr. HOWARD: Joint resolution (H. J. Res. 336) suspending the collection of duty on wheat imported into this country; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COADY: A bill (H. R. 18676) granting an increase of pension to Harlow B. Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18677) granting an increase of pension to William J. Knight; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 18678) authorizing the Secretary of the Treasury to make refund in certain cases of sums of money paid in settlement of income-tax penalties in excess of existing regulations; to the Committee on Claims.

By Mr. DOOLITTLE: A bill (H. R. 18679) granting an increase of pension to Joseph Gray; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 18680) granting an increase of pension to Catherine Platt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18681) granting an increase of pension to Mary M. Stone; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRUCKNER: Petition of the International Union of Journeymen Horseshoers, protesting against national prohibition; to the Committee on Rules.

Also, petition of the Stationers Association of New York, favoring the passage of the Stevens standard-price bill (H. R. 13305); to the Committee on Interstate and Foreign Commerce.

By Mr. DONOVAN: Petition of 60 citizens of Danbury, Conn., favoring national prohibition; to the Committee on Rules.

By Mr. GRIFFIN: Petitions of the New York State Council and Local Union No. 639, of Brooklyn, United Brotherhood of Carpenters and Joiners of America, protesting against the high cost of living; to the Committee on the Judiciary.

By Mr. HOLLAND: Petitions of R. T. Vaughn, George W. Gray, B. H. Delk, J. T. Knight, T. J. Chapman, R. W. Remick, F. W. Rose, and other citizens of the counties of Southampton and Isle of Wight, Va., relative to rural credits; to the Committee on Banking and Currency.

By Mr. LEWIS of Maryland: Petition of the Emory Grove Camp Meeting, of Emory Grove, Md., for the passage of the House joint resolution 168; to the Committee on Rules.

Also, petition of the W. C. P. N. of Feagaville, Md., for the passage of the House joint resolution to prohibit the sale of intoxicating liquors; to the Committee on Rules.

By Mr. LIEB: Petitions of L. Bohry, Henry J. Wolf, August Klingemaier, August Haller, H. A. Wimbeg, John Zueschel, Peter Dewes, Robert Schofield, George Toren, Henry Grimm, Carl Finnberg, Richard Miller, Henry Egli, J. A. Drahelm, George Horn, J. T. Minnett, H. C. L. Krach, George Maler, Henry Grimm, John Zueschel, Louis Rohry, John Fix, J. H. Scholmbachler, Edwin Potter, W. A. Eaty, F. Reisinger, George Hutzman, Simon Bartholome, Pete Heitman, Philip Schrock, C. F. Miller, P. H. Carroll, Charles E. Inco, Eugene Walker, J. J.

Roehrig, H. Watkins, E. B. Alderlat, W. E. Williams, J. W. Bacon, G. Jefferies, S. White, E. J. Johnson, William Fisher, W. C. Hafendorfer, John Roberson, H. J. Cullars, Adam Kiras, Jacob Wriner, Richard Peake, Walter Kern, E. H. R. Epicuv, Fred Johnson, W. M. Boner, M. Long, O. B. Foyle, Mike Cohn, W. B. Kerner, J. F. Which, B. F. Lockport, C. Ferguson, R. Dickerson, Ernest Bryant, W. Kelly, E. W. Blerld, C. H. Southgate, Eugene Kelly, A. J. Haney, E. F. Dloren, N. S. Mitchell, Len Bickel, Samuel Woosley, Dan Martin, R. E. Tmrie, Ray Summers, E. G. Wendholt, F. W. Higgins, J. E. Bowman, J. H. Climens, George Reells, Kennedy & McDonald, Kirk Oldham, L. R. Collier, J. W. Pfisterer, G. H. Hoker, Gus Schafer, Joe Schmautz, Phil. Maler, John Stockley, J. J. Bryan, Oscar Hufuagel, John Jack, William Hughes, H. Rosentahl, C. Harris, L. Fash, George Fruend, H. H. Angel, J. B. Becker, T. J. Baar, William Kamm, W. F. O'Brian, E. Rouke, William Rus, William Kaiser, W. F. Holzgrafi, A. Kasper, Robert Beck, Henry H. Kratz, B. H. Diedrich, Ed. Scherrer, and Peter Egli, all of Evansville, Ind.; Felix Bettag, William Herr, A. Yelling, William Bredhold, Peter Horlander, John Brenner, Frank Stallman, Fred Bocketing, Andy Babbach, Lawrence Grindhoefer, Eugene Grundhoefer, George Horlander, George Roon, Henry Singer, Frank Piforlander, Paul Ender, J. R. Danmhaner, Adam Grundhoefer, Frank P. Dilger, M. Hollander, J. C. Harfurther, Adam Nord, John Jackson, Frank Sogel, Joseph Jellig, Frank Arnold, and J. H. Hollander, all of Mariah Hill, Ind.; and John A. Emmert and O. J. Emmert, of Haubstadt, Ind., protesting against national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of the Socialist Party of Hartford, Conn., protesting against the removal of Federal troops from the strike region in Colorado prior to settlement of the strike; to the Committee on Mines and Mining.

By Mr. MURRAY of Oklahoma: Petitions of sundry citizens of Oklahoma, favoring national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Resolutions of the Verein Eintracht, of San Francisco, Cal., favoring the passage of the Hamill bill (H. R. 5139), for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. WATSON: Petition of sundry citizens of Greensville County, Va., relative to a personal rural-credit system; to the Committee on Banking and Currency.

SENATE.

TUESDAY, September 8, 1914.

(Legislative day of Saturday, September 5, 1914.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

FEDERAL TRADE COMMISSION.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada [Mr. NEWLANDS] to proceed to the consideration of the conference report on the bill (H. R. 15613) to create a Federal trade commission, to define its powers and duties, and for other purposes. When the Senate recessed there was the absence of a quorum. The Chair orders the roll to be called.

Mr. LEWIS. May I be permitted to say I understand from the Senator from Nevada his request was to withdraw his motion to proceed to the consideration of the conference report?

The VICE PRESIDENT. The Senator is permitted to say that, but there was no quorum voting on the motion of the Senator from Nevada.

Mr. GALLINGER. I objected to the withdrawal of the motion to proceed with the report and the roll was called on the motion, and it developed that there was not a quorum present. I suppose the calling of the roll will be in order this morning.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	O'Gorman	Smoot
Bankhead	Gallinger	Perkins	Sterling
Brady	Jones	Pittman	Swanson
Bryan	Kenyon	Poinexter	Thomas
Burton	Lane	Ransdell	Thompson
Chamberlain	Lewis	Reed	Thornton
Chilton	McCumber	Robinson	Vardaman
Capp	Martine, N. J.	Shafroth	Walsh
Crawford	Myers	Sheppard	West
Culberson	Newlands	Simmons	White
Fall	Norris	Smith, Ga.	Williams

Mr. LEWIS. I desire to announce the absence of the Senator from Indiana [Mr. KERN], caused by illness in his family.

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN] is detained from the Senate on account of sickness in